

By: Coleman

H.B. No. 2081

A BILL TO BE ENTITLED

AN ACT

relating to the availability of free prekindergarten programs in public schools.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 29.153(a-1), (b), and (f), Education Code, are amended to read as follows:

(a-1) A district shall offer prekindergarten classes if the district identifies 15 or more children who are ~~[eligible under Subsection (b) and are]~~ at least four years of age. A school district may offer prekindergarten classes if the district identifies 15 or more ~~[eligible]~~ children who are eligible under Subsection (b)(1) ~~[at least three years of age]~~. A district may not charge tuition for a prekindergarten class offered under this section.

(b) A child is eligible for enrollment in a prekindergarten class under this section if the child is:

(1) at least three years of age and:

(A) ~~[(1)]~~ is unable to speak and comprehend the English language;

(B) ~~[(2)]~~ is educationally disadvantaged;

(C) ~~[(3)]~~ is a homeless child, as defined by 42 U.S.C. Section 11434a, regardless of the residence of the child, of either parent of the child, or of the child's guardian or other person having lawful control of the child;

1 (D) [~~(4)~~] is the child of an active duty member
2 of the armed forces of the United States, including the state
3 military forces or a reserve component of the armed forces, who is
4 ordered to active duty by proper authority;

5 (E) [~~(5)~~] is the child of a member of the armed
6 forces of the United States, including the state military forces or
7 a reserve component of the armed forces, who was injured or killed
8 while serving on active duty;

9 (F) [~~(6)~~] is or ever has been in the
10 conservatorship of the Department of Family and Protective Services
11 following an adversary hearing held as provided by Section [262.201](#),
12 Family Code; or

13 (G) [~~(7)~~] is the child of a person eligible for
14 the Star of Texas Award as:

15 (i) [~~(A)~~] a peace officer under Section
16 [3106.002](#), Government Code;

17 (ii) [~~(B)~~] a firefighter under Section
18 [3106.003](#), Government Code; or

19 (iii) [~~(C)~~] an emergency medical first
20 responder under Section [3106.004](#), Government Code; or

21 (2) at least four years of age.

22 (f) A child who is eligible for enrollment in a
23 prekindergarten class under Subsection (b)(1)(D) or (E) [~~(b)(4) or~~
24 ~~(5)~~] remains eligible for enrollment if the child's parent leaves
25 the armed forces, or is no longer on active duty, after the child
26 begins a prekindergarten class.

27 SECTION 2. Section [29.1532](#)(c), Education Code, is amended

1 to read as follows:

2 (c) A school district that offers prekindergarten classes,
3 including a high quality prekindergarten program class under
4 Subchapter E-1, shall include the following information in the
5 district's Public Education Information Management System (PEIMS)
6 report:

7 (1) demographic information, as determined by the
8 commissioner, on students enrolled in district and campus
9 prekindergarten classes, including the number of students who are
10 eligible for classes under Section 29.153(b)(1) or (f) [~~29.153~~];

11 (2) the numbers of half-day and full-day
12 prekindergarten classes offered by the district and campus;

13 (3) the sources of funding for the prekindergarten
14 classes;

15 (4) the class size and ratio of instructional staff to
16 students for each prekindergarten program class offered by the
17 district and campus;

18 (5) if the district elects to administer an assessment
19 instrument to students enrolled in district and campus
20 prekindergarten program classes, a description and the results of
21 each type of assessment instrument; and

22 (6) curricula used in the district's prekindergarten
23 program classes.

24 SECTION 3. Section 29.166(c), Education Code, is amended to
25 read as follows:

26 (c) A student qualifies for additional funding under
27 Subsection (b) if the student[+]

1 ~~[(1) satisfies eligibility requirements under Section~~
2 ~~29.153(b), and~~

3 ~~[(2)]~~ is four years of age on September 1 of the year
4 the student begins the program.

5 SECTION 4. Section 29.153(d), Education Code, is repealed.

6 SECTION 5. This Act applies beginning with the 2023-2024
7 school year.

8 SECTION 6. This Act takes effect August 1, 2023.